

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

SYLVIA ADAMS

Plaintiff,

V.

STATE OF ALABAMA, et al.,

Defendants.

**CIVIL ACTION NO. :
2:07-cv-00569-MHT**

**DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, OR IN
THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT**

Pursuant to Rule 12(b)(6) of the *Federal Rules of Civil Procedure*, Defendants hereby move this Court to dismiss Plaintiff's complaint for failure to state a claim. Plaintiff has failed to allege the basic elements of a claim against the Defendants as a matter of law.

1. Alternatively, Defendants move pursuant to Rule 12(e) of the *Federal Rules of Civil Procedure*, for an Order from this Court requiring Plaintiff to provide a more definite statement as to the alleged claim against the Defendants.

2. In support of its Motion, the Defendants submit the brief filed contemporaneously herewith.

WHEREFORE, premises considered, Defendants respectfully request that the Court dismiss the Plaintiff's complaint or alternatively, Defendants request that the Court require the Plaintiff to provide a more definite statement as to the claims against the Defendants.

Respectfully submitted,

/s/ CONSTANCE S. BARKER
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above document has been electronically filed using the CM/ECF system on this the 29th day of August, 2007.

/s/ CONSTANCE S. BARKER
OF COUNSEL

